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ATTORNEY DOCKET NO. FIRST NAMED INVENTOR CONFIRMATION NO. FILING DATE APPLICATION NO. VLINK,002DV1 1234 George P. Teitelbaum 10/17/2003 10/688,646 EXAMINER 09/24/2004 7590 20995 DAVIS, DANIEL J KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET PAPER NUMBER ART UNIT FOURTEENTH FLOOR 3731 IRVINE, CA 92614

DATE MAILED: 09/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	Y
	10/688,646	TEITELBAUM, GEORGE	P.
Office Action Summary	Examiner	Art Unit	
	D. Jacob Davis	3731	
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).			
Status			
1) Responsive to communication(s) filed on	<u>_</u> .		
2a) ☐ This action is FINAL . 2b) ☑ This action is non-final.			
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is			
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.			
Disposition of Claims			
4) Claim(s) 9 and 10 is/are pending in the applica	tion.		
4a) Of the above claim(s) is/are withdrawn from consideration.			
5) Claim(s) is/are allowed.			
6)⊠ Claim(s) <u>9 and 10</u> is/are rejected.			
7) Claim(s) is/are objected to.			
8) Claim(s) are subject to restriction and/or election requirement.			
Application Papers			
9)☐ The specification is objected to by the Examine	er.		
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.			
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).			
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).			
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.			
Priority under 35 U.S.C. § 119			
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).			
a) ☐ All b) ☐ Some * c) ☐ None of:			
1. Certified copies of the priority documents have been received.			
2. Certified copies of the priority documents have been received in Application No			
3. Copies of the certified copies of the priority documents have been received in this National Stage			
application from the International Bureau (PCT Rule 17.2(a)).			
* See the attached detailed Office action for a list of the certified copies not received.			
Attachment(c)			
Attachment(s) 1) Notice of References Cited (PTO-892)	4) 🔲 Interview Summar		
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail [Date Patent Application (PTO-152)	
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 10/17/03.	6) Other:	i atom ripphodulon (i 10-102)	

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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 9 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,834,394 to Hunter et al. Hunter discloses "an inflatable connection rod" in Figs. 4-5 comprising a proximal end with a self-sealing valve 8, a distal end having a tip, and an inflatable balloon therebetween.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 3,834,394 to Hunter et al. in view of U.S. Patent No. 5,195,970 to Gahara. Hunter fails to disclose reinforcing wires. Nevertheless, Gahara teaches the use of reinforcing wires (Fig. 6). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Hunter balloon as taught by Gahara.

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The reinforcing wires help prevent "winging" (a flattening phenomena) of the balloon during removal, and enable the balloon to withstand higher pressures.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to D. Jacob Davis whose telephone number is (703) 305-1232. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, McDermott or Shaver can be reached on (703) 308-0858. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DJD

DAVID O. HEIP